

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

**METHOD AND APPARATUS FOR DETERMINING
TONER LEVEL IN ELECTROPHOTOGRAPHIC PRINT ENGINES**

the specification of which is attached hereto, and that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this Application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 C.F.R. § 1.56 (a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined 37 C.F.R. § 156 (a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Priority is claimed for this Application as a Continuation-in-Part of Serial No. _____, filed December 5, 1997, titled "MULTIPLE PRINT ENGINE WITH VIRTUAL JOB ROUTING" (Atty.Dkt.No. TRY-23,684), which is a Continuation of Serial No. 08/698,999, filed August 16, 1996, titled "MULTIPLE PRINT ENGINE WITH VIRTUAL JOB ROUTING"

(Atty.Dkt.No. TRSY-23,684), abandoned, which is a Continuation-in-Part of Serial No. _____, filed March 2, 1998, titled "VIRTUAL SINGLE PRINTER ENGINE WITH SOFTWARE RIP" (Atty.Dkt.No. TRSY-23,617), which is a Continuation of Serial No. 08/511,641, filed August 7, 1995, titled "VIRTUAL SINGLE PRINTER ENGINE WITH SOFTWARE RIP" (Atty.Dkt.No. TRSY-23,617), abandoned.

I hereby appoint:

Gregory M. Howison, Reg. No. 30,646
Daniel V. Thompson, Reg. No. 29,706
Mark W. Handley, Reg. No. 36,821

of the firm THOMPSON & HOWISON, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications based thereon in any foreign country or before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

Direct Telephone Calls To:

THOMPSON & HOWISON, L.L.P.
P.O. Box 741715
Dallas, Texas 75374-1715

Gregory M. Howison
at (214) 479-0460
Atty. Docket No. TRSY-23,859

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the First Joint Inventor: Michael W. Barry

Inventor's Signature: Michael W. Barry

Date: 3/13/98

Residence (City, State): Duluth, Georgia 30136

Citizenship: United States of America

Post Office Address: 2010 Parsons Trail, Duluth, Georgia 30136

Full name of the Second Joint Inventor: Jack N. Bartholmae

Inventor's Signature: Jack N. Bartholmae

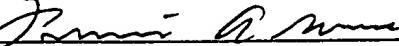
Date: 3/13/98

Residence (City, State): Duluth, Georgia 30136

Citizenship: United States of America

Post Office Address: 3538 Parsons Ridge Lane, Duluth, Georgia 30136

Full name of the Third Joint Inventor: **Francis A. Rowe**

Inventor's Signature: 

Date: 3/13/98

Residence (City, State): **Duluth, Georgia 30136**

Citizenship: **United States of America**

Post Office Address: **4683 River Court, Duluth, Georgia 30136**

Full name of the Fourth Joint Inventor: **E. Neal Tompkins**

Inventor's Signature: 

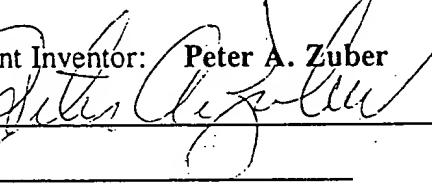
Date: 3/13/98

Residence (City, State): **Atlanta, Georgia 30350**

Citizenship: **United States of America**

Post Office Address: **7755 Jann Way, Atlanta, Georgia 30350**

Full name of the Fifth Joint Inventor: **Peter A. Zuber**

Inventor's Signature: 

Date: 3/13/98

Residence (City, State): **Norcross, Georgia 30093**

Citizenship: **United States of America**

Post Office Address: **5862 Surrey Place, Norcross, Georgia 30093**

ASSIGNMENT

WHEREAS, we, Michael W. Barry, Jack N. Bartholmae, Francis A. Rowe, E. Neal Tompkins, and Peter A. Zuber, citizens of the United States of America and residents of the State of Georgia, have invented certain new and useful improvements in METHOD AND APPARATUS FOR DETERMINING TONER LEVEL IN ELECTROPHOTOGRAPHIC PRINT ENGINES for which we are about to make application for United States Letters Patent; and

WHEREAS, *T/R SYSTEMS*, a corporation of the State of Georgia, which has a business address of 5985 Financial Drive, Norcross, Georgia 30071, (hereinafter referred to as "Assignee"), is desirous of acquiring our entire right, title and interest in and to the invention, and in and to said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interests are concerned, to said Assignee of our entire right, title and interest.

We also hereby sell and assign to said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to said Assignee, or to its successors, assigns and legal representatives, any facts known to us respecting any improvements, and, at the expense of said Assignee, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said Assignee and to aid said Assignee, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

Name of First Joint Inventor: Michael W. Barry

Residence (City, County, State): Duluth, Gwinnett County, Georgia 30136

Signature: Michael W. Barry

Date: 3/13/98

Date Application Executed: 3/13/98

STATE OF GEORGIA

§

COUNTY OF

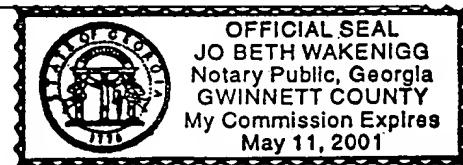
§ ss:

BEFORE ME, a Notary Public, on this 13 day of March, 1998, personally appeared Michael W. Barry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 13 day of March A.D., 1998.

Jo Beth Wakenigg
Notary Public

Commission Expires:



Name of Second Joint Inventor: **Jack N. Bartholmae**

Residence (City, County, State): **Duluth, Gwinnett County, Georgia 30136**

Signature: Jack N. Bartholmae

Date: 3/13/98

Date Application Executed: 3/13/98

STATE OF GEORGIA §

COUNTY OF § ss:

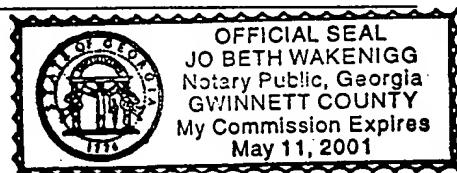
BEFORE ME, a Notary Public, on this 13 day of March, 1998, personally appeared Jack N. Bartholmae, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 13 day of March A.D., 1998.



Notary Public

Commission Expires:



Name of Third Joint Inventor: **Francis A. Rowe**

Residence (City, County, State): **Duluth, Gwinnett County, Georgia 30136**

Signature: Francis A. Rowe

Date: 3/13/98

Date Application Executed: 3/13/98

STATE OF GEORGIA

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COUNTY OF

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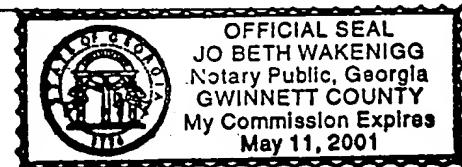
BEFORE ME, a Notary Public, on this 13 day of March, 1998, personally appeared Francis A. Rowe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 13 day of March A.D., 1998.



Notary Public

Commission Expires:



Name of Fourth Joint Inventor: E. Neal Tompkins

Residence (City, County, State): Atlanta, Fulton County, Georgia 30350

Signature: E. Neal Tompkins

Date: 3/11/98

Date Application Executed: 3/11/98

STATE OF GEORGIA

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COUNTY OF

§ ss:

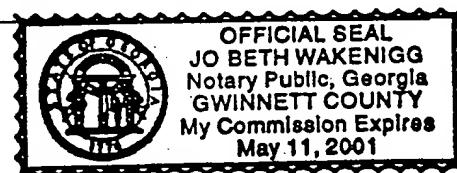
BEFORE ME, a Notary Public, on this 13 day of March 1998, personally appeared E. Neal Tompkins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 13 day of March A.D., 1998.

Jo Beth Wakenigg

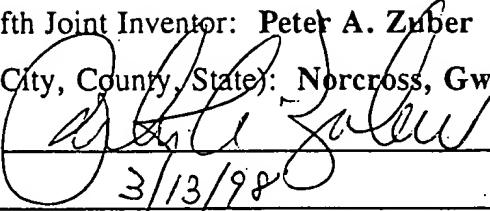
Notary Public

Commission Expires:



Name of Fifth Joint Inventor: Peter A. Zuber

Residence (City, County, State): Norcross, Gwinnett County, Georgia 30093

Signature: 

Date: 3/13/98

Date Application Executed: 3/13/98

STATE OF GEORGIA §

COUNTY OF § ss:

BEFORE ME, a Notary Public, on this 13 day of March 1998, personally appeared Peter A. Zuber, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same of his own free will for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office this 13 day of March A.D., 1998.



Notary Public

Commission Expires:

